



May 9, 2017

VIA CERTIFIED MAIL

Freedom of Information Officer Environmental Protection Agency 1200 Pennsylvania Avenue NW (2822T) Washington, DC 20460

Re: Freedom of Information Act Request

Dear Freedom of Information Officer:

Judicial Watch, Inc. ("Judicial Watch") hereby requests that the Environmental Protection Agency produce the following records pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"):

Any and all records regarding, concerning, or related to the Environmental Protection Agency Criminal Investigation Division's investigation of Abound Solar, a defunct manufacturer of solar panels that was headquartered in Loveland, Colorado. This request includes, but is not limited to, any and all investigative reports and other documents created during the course of and pursuant to the investigation, as well as any and all related records of communication between any official, agent, employee, or representative of the Environmental Protection Agency and any official, agent, employee, or representative of any other branch, department, agency, or office of the federal government.

For purposes of clarification, please find enclosed an excerpt from the Department of the Treasury Office of Inspector General case log documenting the Environmental Protection Agency Criminal Investigation Division's involvement in the aforementioned investigation.

Please determine whether to comply with this request within the time period required by FOIA and notify us immediately of your determination, the reasons therefor, and the right to appeal any adverse determination to the head of the agency or his or her designee. 5 U.S.C. § 552(a)(6)(i). Please also produce all responsive records in an electronic format ("pdf" is preferred), if convenient. We also are willing to accept a "rolling production" of responsive records if it will facilitate a more timely production.

Judicial Watch also hereby requests a waiver of both search and duplication fees.

EPA May 9, 2017 Page 2 of 3

We are entitled to a waiver of search fees because we are a "representative of the news media." See 5 U.S.C. § 552(a)(4)(A)(ii)(II); see also Cause of Action v. Federal Trade Comm., 799 F.3d 1108 (D.C. Cir. 2015); Nat'l Sec. Archive v. U.S. Dep't of Defense, 880 F.2d 1381 (D.C. Cir. 1989). For more than twenty years, Judicial Watch has used FOIA and other investigative tools to gather information about the operations and activities of government, a subject of undisputed public interest. We submit over 400 FOIA requests annually. Our personnel, which includes experienced journalists and professional writers on staff and under contract, use their editorial skills to turn this raw information into distinct works that are disseminated to the public via our monthly newsletter, which has a circulation of over 300,000, weekly email update, which has over 600,000 subscribers, investigative bulletins, special reports, www.judicialwatch.org website, Corruption Chronicles blog, and social media, including Facebook and Twitter, among other distribution channels. We have authored several books, including Corruption Chronicles by Tom Fitton (Threshold Editions, July 24, 2012), and another book, Clean House by Tom Fitton (Threshold Editions, Aug. 30, 2016), is forthcoming. In 2012, we produced a documentary film, "District of Corruption," directed by Stephen K. Bannon. Our "news media" status has been confirmed in court rulings. See, e.g., Judicial Watch, Inc. v. U.S. Dep't of Defense, 2006 U.S. Dist. LEXIS 44003, *1 (D.D.C. June 28, 2006); Judicial Watch, Inc. v. U.S. Dep't of Justice, 133 F. Supp.2d 52 (D.D.C. 2000). As a tax exempt, 501(c)(3) non-profit corporation, we have no commercial interests and do not seek the requested records for any commercial use. Rather, we intend to use the requested records as part of our on-going investigative journalism and public education efforts to promote integrity, transparency, and accountability in government and fidelity to the rule of law.

Judicial Watch also is entitled to a waiver of both search fees and duplication fees because "disclosure of the information is in the public interest." 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records undoubtedly will shed light on "the operations or activities of the government." Cause of Action, 799 F.3d at 1115 (quoting 5 U.S.C. § 552(a)(4)(A)(iii)). Disclosure also is "likely to contribute significantly to the public understanding" of those operations or activities because, among other reasons, Judicial Watch intends to disseminate both the records and its findings to "a reasonably broad audience of persons interested in the subject" via its newsletter, email updates, investigative bulletins, website, blog, and its other, regular distribution channels. Cause of Action, 799 F.3d at 1116 (quoting Carney v. U.S. Dep't of Justice, 19 F.3d 807, 815 (2d Cir. 1994)). Again, Judicial Watch does not seek the requested records for any commercial benefit or for its own "primary" benefit, but instead seeks them as part of its ongoing investigative journalism and public education efforts to promote integrity, transparency, and accountability in government and fidelity to the rule of law.

In the event our request for a waiver of search and/or duplication costs is denied, Judicial Watch agrees to pay up to \$300.00 in search and/or duplication costs. Judicial Watch requests that it be contacted before any such costs are incurred, in order to prioritize search and duplication efforts.

EPA May 9, 2017 Page 3 of 3

If you do not understand this request or any portion thereof, or if you feel you require clarification of this request or any portion thereof, please contact us immediately at 202-646-5172 or sdunagan@judicialwatch.org.

Thank you for your cooperation.

Sincerely,

Sean Dunagan Judicial Watch, Inc.

803	86214-12114 862-14-12114	14.03034	2.1-1.1	00:13-894	B15-36-0006-1	BCP-14-12864	PERTY ST-WOS	000.15-0499.1	ricersidae	HW 12-0409-1
to station	BES 14-12111	DO-14-03034	1374	PROPERTY NC (ARA) DO-1	1980	SPECIMEN NOTES BEP-14-1286-I	CAN SCAN SEIZEM	ENNE TO SEC. 12-04-05-1	1	15W-150409-1
				NC (ARA) DO 13: Seed if Agent (A. Marchaell of Energy (DOI, Office of Inspected General conditional DIG of In possible INC (ARA) DO 13: Seed if Agent (A. Marchaell of Dick and the U.S. Environmental Bronzellon Agent Cyclinial Investigation involving the Office and the U.S. Environmental Bronzellon Agent Cyclinial Investigation manufacture based in Colorado name (DIA-CO). A Marchael have the investigations are at the beginning Lapse and Elemende flows a quite manufacture based in Colorado name (DIA-CO). A Marchaellon Agent Cyclinial Investigation are at the beginning Lapse and Elemende flows a Quite Investigation and in the AGENC Agent (A. CO). A Marchaellon Agent (A. CO) and the second and the AGENC Agent (A. CO) and the second and the AGENC Agent (A. CO) and the second and the AGENC Agent (A. CO) and the second and the AGENC Agent (A. CO) and the second and the AGENC Agent (A. CO) and the second agent (A. CO) and the AGENC AGEN	This was expensed to matthy in the written of U.S. v. <u>Barrace and Mariento Barter of Georgia, III de 40-4044-</u> 08-100 Dowley a tiling operations, the religious processions of the religious of	Correspondence received via OCI intake from the state of the properties all application of "spectreen notes," which bould not be available to the public, going to public action next week. In your cauciton bill currency spectreen counterfact 1956 security, pile paper.	Correspondence received via DIG Frake if correcting to the process with IP/CDN repurding an incoming complete from the state of the Allegations of receiving a phone call from an individual translationly daming to be from the Opportunate of the Tensory , surpresent SAA improparation federal official frond treplanage account.	A laptice computer that had been stoken from Office of the Comptroller of the Currency (DCC) Associate National bank Landwise Baselines of 07/12/2014 transfulps in an Advances paershop. The OCC side whether the OI want to be involved in the recovery. Little flood (AAI) Police Department incident Number 2014-083-784 TCSRC Tracking Number 1033/99.	185 35 3407. The Bureau of the Facil Service's Austin Call Center received a telephone cell from an uniderathed, glotted porces who interatived to shoot the propie who are safety comp year) from the gets not family, of propagy, the view benefits and of propies of the cells of the facility of \$1.00 all to feeting the problems from the free of the line feetings on prices (\$120 3.2.0 dail) in weeting the public called again short for hereafter to report the finance, and additional density of information was obtained.	Originally received (III)(2014 and treated as an administrative retent in order Clast to, USA-14-393, 4, on 11,720(2014 we oblood out the making retently and created this new case remote to address the matter consolved as a Preliminary Investigation, On 08(55/2014, an officialve, Incidin's Layerted, and remployer-name-specific graffito was discovered in the ment room of the US Mart Bodity Scatted in Philadelphia, Perinsylvania, US Mart Policies incident Number 1-2-4-6-6-6-6-6-6-6-6-6-6-6-6-6-6-6-6-6-6
CAT DATA	Grand Juny; 0			9	e			21		9
Olympia Communication of the C	O9May2016 Criminal	09May2016 Criminal	eskapois Connai	Oddwy2016 Criminal	O TOTAL	31Apr2016 Criminal	194/r/2016 Criminal	21Mar2016 Oʻminal	ziwaczoś Criminal	01Mar2016 Administrative Only
9	Other			Recovery ACT Funds-ARM	The Area City I was a final of the City I wa	Loss of Equipment	CMOSH	Loss of Equipment	Theta.	Administrance Only
Description (Tipping) Constitution (Tipping)	Bureau of the Figal Service Cosed	e E	For Remark Service (CO)	Departmental Offices (Trassury)	Section of the sectio	Bureau of Engraving and Printing	i i	e Comptroller of the	W2012 F	United States Mint
October 1997	Cossed	Octobed		Closed	•	Closed	8	Closed	1	COME
Conc	Other	Loss of Equipment	The second secon	Recovery Act Funds Associa		Loss of Equipment		Loss of Equipment	Theat	Administrative Dray



Freedom of Information Office Environmental Protection Agency 1200 Pennsylvania Ave NW (2822T) Washington, DC 20460

neopost 05/09/2017 \$006.560



ZIP 20024 041L10246948

MAY 16 2017